

Appl. No. 10/532,292; Docket No. BE02 0032US
Amdt. dated January 11, 2007
Response to Office Action dated October 26, 2006

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REMARKS/ARGUMENTS

Claims 1-15 are pending in the application.

Applicants appreciate Examiner's acknowledgement of allowable subject matter in claims 1-6 and claims 9, 10, 13, and 14.

Claims 7, 8, 11, 12, and 15 have been cancelled. The rejections under §102(b) are now moot.

Claim 9 has been amended to eliminate the antecedent basis issues. Elements of claim 7 and 8 have been incorporated into now-independent claim 9. Claims 10, 13, and 14 now depend upon allowable claim 9. Applicants believe the §112 rejections have been addressed.

With respect to Examiner's invitation to add section headings per 37 CFR 1.77(b). Applicants respectfully decline the invitation. Applicants prefer not to add section headings, for consistency with the parent application. Such section headings are not statutorily required for filing a non-provisional patent application under 35 USC 111(a), but per 37 CFR 1.51(d) are only guidelines that are suggested for Applicants' use. They are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, states in the Official Gazette:

"Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, the Office will not require any application to comply with the format set forth in 1.77."
Miscellaneous Changes in Patent Practice, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No: 950620162-6014-02] RIN 0651-AA75.

Applicants respectfully request that the Examiner withdraw his objections.

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Applicants believe they have addressed the Examiner's concerns. Therefore, the claims, as amended, are now allowable over the cited reference. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Please charge any fees other than the issue fee and credit any overpayments to Deposit Account 50-4019.

Respectfully submitted,

Date: 11 - JAN - 2007

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